

Application No. 09/692,748

### **REMARKS**

Claims 1-35 remain pending in the application, with claims 1, 31 and 32 being the independent claims. Reconsideration and further examination are respectfully requested.

Initially, Applicants thank the Examiner for the telephonic interview conducted on February 16, 2005, as well as the follow-up telephone call of March 14, 2005, with Applicants' attorney. During the telephonic interview, Applicants' attorney emphasized the following features with respect to the pending claims.

Each of the independent claims 1, 31 and 32 recites the use of "a group of exogenous variables that are likely to influence observed prices of an asset." Specifically, such exogenous variables are used for obtaining a formula (that is a function of such exogenous variables) and then for calculating that formula to obtain a price estimate for an asset. The current Office Action asserts that the recited "exogenous variables" read on Gatto's analyst factors. During the telephonic interview, Applicants' attorney pointed out that, rather than themselves actually influencing observed prices of any assets, Gatto's analyst factors at most appear to be used for attempting to make his forecasting model more accurate.

Also, each independent claim recites that the direction in which the observed price of an asset will move is forecast based on a similarity measure that has been determined by comparing a price estimate for the asset with an actually observed price for the asset. As pointed out during the telephonic interview, Gatto only appears to discuss comparing an enhanced composite estimate with a consensus (another

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estimate), and not with an actually observed price, for the purpose of determining whether a stock is undervalued.

The main purpose of the telephonic interview was to determine whether there was any way that the pending claims could be clarified in a manner that would emphasize either or both of these distinctions between the present invention and the applied art. However, after considering the matter, in the follow-up telephone conversation the Examiner stated that she could not come up with any suggestions for amending the claims. Accordingly, the Examiner suggested filing a response that included remarks highlighting the points made during the telephonic interview and that, upon doing so, the Examiner would reconsider the present rejections.

Based on the distinctions set forth above, it is believed that the pending claims are allowable over the applied art, and an indication to that effect is respectfully requested.

In order to sufficiently distinguish Applicants' invention from the applied art, the foregoing remarks emphasize several of the differences between the applied art and Applicants' invention. However, no attempt has been made to categorize each unobvious difference. Applicants' invention comprises all of the elements and all of the interrelationships between those elements recited in the claims. It is believed that for each claim the combination of such elements and interrelationships is not disclosed, taught or suggested by the applied art. It is therefore believed that all claims in the application are fully in condition for allowance.

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Respectfully submitted,

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